

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

| | | |
|--|---|------------------------------------|
| ANDREW MCINTOSH, Individually and on behalf of all others similarly situated, | : | |
| | : | Civil Action No. 2:05-cv-889 (LDW) |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | |
| VEECO INSTRUMENTS, INC., EDWARD BRAUN and JOHN REIN, JR., | : | |
| | : | |
| Defendants. | : | |
| | : | |
| BARRY LINZER, On behalf himself and all others similarly situated, | : | |
| | : | |
| Plaintiff | : | Civil Action No. 2:05-cv-957 (DRH) |
| | : | |
| v. | : | |
| | : | |
| VEECO INSTRUMENTS, INC., EDWARD H. BRAUN and JOHN F. REIN, JR., | : | |
| | : | |
| Defendants. | : | |

[Captions continued on the following page]

**NOTICE OF MOTION BY THE STEELWORKERS PENSION TRUST
FOR CONSOLIDATION, FOR ITS APPOINTMENT
AS LEAD PLAINTIFF ON BEHALF OF THE CLASS AND FOR
APPROVAL OF LEAD PLAINTIFF'S SELECTION OF LEAD COUNSEL AND
LIAISON COUNSEL**

| | | |
|---|---|-------------------------------------|
| BRUCE KANTOR, On behalf himself and all others similarly situated, | : | |
| | : | Civil Action No. 2:05-cv-967 (LDW) |
| Plaintiff, | : | |
| v. | : | |
| VEECO INSTRUMENTS, INC., EDWARD H. BRAUN and JOHN F. REIN, JR., | : | |
| | : | |
| Defendants. | : | |
| GEORGE WALKER, Individually and on behalf of all others similarly situated, | : | |
| | : | |
| Plaintiff, | : | Civil Action No. 2:05-cv-1003 (JS) |
| v. | : | |
| VEECO INSTRUMENTS, INC., EDWARD BRAUN and JOHN REIN, JR., | : | |
| | : | |
| Defendants. | : | |
| PHILLIP G. COLLINS, On behalf of himself and all others similarly situated, | : | |
| | : | |
| Plaintiff, | : | Civil Action No. 2:05-cv-1277 (LDW) |
| v. | : | |
| VEECO INSTRUMENTS, INC., EDWARD H. BRAUN and JOHN F. REIN, JR., | : | |
| | : | |
| Defendants. | : | |

[Captions continued on the following page]

| | | |
|--|---|-------------------------------------|
| SERVAAS HOLTHUIZEN, Individually and on behalf of all others similarly situated, | : | |
| | : | Civil Action No. 2:05-cv-1337 (LDW) |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| VEECO INSTRUMENTS, INC., EDWARD H. BRAUN and JOHN F. REIN, JR., | : | |
| | : | |
| Defendants. | : | |
| <hr/> | | |
| GERALD J. VOGT and ELEANOR L. VOGT, On behalf of themselves and all others similarly situated, | : | |
| | : | Civil Action No. 2:05-cv-1430 (LDW) |
| Plaintiffs, | : | |
| | : | |
| v. | : | |
| VEECO INSTRUMENTS, INC., EDWARD BRAUN and JOHN REIN, JR., | : | |
| | : | |
| Defendants. | : | |
| <hr/> | | |
| TIMOTHY JOE GROVE, On behalf of himself and all others similarly situated, | : | |
| | : | Civil Action No. 2:05-cv-1552 (LDW) |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| VEECO INSTRUMENTS, INC., EDWARD H. BRAUN and JOHN F. REIN, JR., | : | |
| | : | |
| Defendants. | : | |

PLEASE TAKE NOTICE that the Steelworkers Pension Trust (“Proposed Lead Plaintiff”), by and through its undersigned counsel will hereby move this Court on a date and at such time as may be designated by the Court at the United States Courthouse located at 225 Cadman Plaza East, Brooklyn, New York for an Order:

- (a) Consolidating all of the previously filed actions for all purposes including, but not limited to, discovery, pretrial proceedings and trial proceedings, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure;
- (b) Appointing the Proposed Lead Plaintiff as Lead Plaintiff for the Class pursuant to § 21D(a)(3)(B) of the Private Securities Litigation Reform Act of 1995 (“PSLRA”); and
- (c) Approving the Proposed Lead Plaintiff’s selection of Berger & Montague, P.C. to serve as Lead Counsel and Milberg Weiss Bershad & Schulman LLP as Liaison Counsel for the Class pursuant to § 21D(a)(3)(B)(v) of the PSLRA.

In support of the Motion, Movant submits herewith (a) the accompanying Memorandum of Law in Support of Motion of the Steelworkers Pension Trust for Appointment as Lead Plaintiff on Behalf of the Class and for Approval of Selection of Lead Counsel; and (b) the

Declaration of Peter E. Seidman, dated April 18, 2005.

DATED: April 18, 2005

Respectfully submitted,

**MILBERG WEISS BERSHAD &
SCHULMAN LLP**

By: /s/ Peter E. Seidman

Steven G. Schulman (SS-2561)

Peter E. Seidman (PS-8769)

Sharon M. Lee (SL-5612)

One Pennsylvania Plaza - 49th Floor
New York, NY 10119

Telephone: (212) 594-5300

Facsimile: (212) 868-1229

Proposed Liaison Counsel

BERGER & MONTAGUE, P.C.

Sherrie R. Savett

Phyllis M. Parker

1622 Locust Street

Philadelphia, PA 19103

(215) 875-3000

(215) 875-4604 (Fax)

Proposed Lead Counsel